



IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA)	
)	NO. 3:09-cr-00094
v.)	Judge Trauger
)	
BRIAN MARCELLE RHODES.)	

MOTION TO CONTINUE TRIAL
AND TO EXTEND PRETRIAL DEADLINES

Defendant Brian Marcelle Rhodes, through undersigned counsel, moves this Honorable Court for an Order continuing the March 19, 2013 trial and to extend pretrial deadlines in this cause for ninety days (90), or an appropriate date thereafter. In support of this motion, defendant relies upon the attached declaration of counsel, and would respectfully show:

1. On April 29, 2009 Defendant was charged by indictment. Defendant is indigent, and undersigned counsel has been appointed by this Court to represent him. Trial is set for March 19, 2013 at 9:00 a.m. [D.E. 282]

2. The indictment against defendant and five co-defendants contains one count alleging: Conspiracy to distribute and possession with the intent to distribute 500 grams or more of cocaine (Maximum Sentence 40 years).

3. The parties are working towards a resolution of this matter, that, if reached, would resolve the case against defendant without the necessity of trial, but will be unable to reach an agreement within the current time limitations. Additional time is necessary to complete this task.